

**ENTERED**

September 06, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

JOSE DE JESUS OVIEDO  
HERNANDEZ, *et al*,

Plaintiffs,

VS.

ROBERT DERING CONSTRUCTION,  
LLC,

Defendant.

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CIVIL ACTION NO. 3:15-CV-176

**ORDER**

For the reasons as stated on the record, Plaintiffs' Amended Motion for FLSA Conditional Certification and Class Notice under 29 U.S.C. § 216(b) (Dkt. 37) is **GRANTED**, and the Court provisionally deems this action a collective action and defines the conditionally approved collective class as follows:

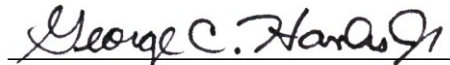
**All persons who worked as laborers on a Robert Dering Construction, LLC ("RDC") project or jobsite from July 13, 2012, to the present, who worked more than forty (40) hours in a workweek without receiving overtime compensation, and who were directly compensated by RDC.**

Within fourteen (14) days of the entry of this Order Robert Dering Construction, LLC shall provide Plaintiffs with a list of all persons fitting the description of the conditionally certified class in a usable electronic format. This list shall include each individual's full name, last known mailing address, e-mail address (if known), telephone number, and date(s) of which they worked on the project or jobsite. Plaintiffs shall have

fourteen (14) days from the receipt of this information to mail the proposed notice to the potential class members. The opt-in period shall be ninety (90) days from the date the notice is mailed.

**IT IS SO ORDERED.**

SIGNED at Galveston, Texas, this 6<sup>th</sup> day of September, 2016.

A handwritten signature in cursive script, reading "George C. Hanks Jr.", written over a horizontal line.

George C. Hanks Jr.  
United States District Judge